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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/052,278 03/30/98 ROBIN

M MSI-206USC1

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EXAMINER

HARRISON, C

ART UNIT

PAPER NUMBER

2672

DATE MAILED:

02/05/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/052,278

Applicant(s)  
Robin

Examiner  
Chante' Harrison

Group Art Unit  
2672



☒ Responsive to communication(s) filed on Nov 20, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-8 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-8 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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**DETAILED ACTION**

1. This action is responsive to communications: Amendment B, filed on 11/20/00.
2. Claims 1-8 are pending in the case. Claims 1 and 3 are independent claims. Claims 5-18 have been added.

***Oath/Declaration***

1. The objection to the declaration is withdrawn

***Claim Objections***

2. Claim 8 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 3 and 8 both claim a control identifier having an active and an inactive state.

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al., U.S. Patent 5,596,347, 1/1997, 345/157.

As per independent claim 1, Robertson discloses providing a plurality of controls on a screen of a video display device (FIGS. 3B & 3D; col. 5, ll. 14-20), identifying a control group (col. 5, ll. 20-27; FIG. 2a; col. 6, ll. 24-32), the group comprised of at least two controls associated in a data structure (FIG. 3; col. 7, ll. 44-60), but fails to specifically disclose representing the control group with a single status indicator and directing the activation of the controls of the control group by storing an active value. It would have been obvious to one of ordinary skill in the art at the time of invention to use the disclosure of Robertson because he teaches associating a group of controls with an operative window (FIG. 3D), wherein only one control can be activated at a time (col. 8, ll. 30-34) and stores a flag bit indicating the default control selection (col. 5, ll. 20-25), which implies the use of data bits corresponding to controls and representing activation or deactivation of the selected control.

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As per dependent claim 2, Robertson discloses identifying a location that the cursor points to (col. 6, ll. 36-44), identify a control position for each control of the control group (col. 6, ll. 55-60), the control position defining a location on the screen for the activated control (col. 6, ll. 40-43, 54-58), discloses determining a control distance, the distance defining a control connecting path which connects the identified location with the control position (col. 10 et seq.), the angle formed between the control connecting path and a last direction of cursor movement path (FIG. 6; col. 9-10, ll. 40-5), and calculating a weighted distance (col. 2, ll. 22-56; col. 4, ll. 42-55), but fails to disclose calculating a control angle. However it would have been obvious to one skilled in the art at the time to use the disclosure of Robertson because he teaches the system using a predetermined angle or the user selecting an angle to identify the control location.

As per independent claim 3, Robertson discloses a memory (FIG. 1), a control grouping identifier contained in memory (col. 5, ll. 8-50), the identifier has an active state and an inactive state and the identifier represents the controls of the control grouping (col. 5, ll. 20-25). It would have been obvious to one of ordinary skill in the art to use the disclosure of Robertson because he discloses the use of a flag data bit to identify a default control selection, which implies the use of data bits that correspond to controls and represents activation or deactivation of a selected control.

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As per dependent claim 4, Robertson discloses the control grouping identifier is a bit of a control word (col. 5, ll. 23-25).

As per dependent claim 5, Robertson fails to specifically disclose storing an active value in a status indicator for each control. However it would have been obvious to skilled in the art to use the disclosure of Robertson because he discloses the use of a flag data bit to identify a default control selection, which implies the use of data bits that correspond to controls and represents activation or deactivation of a selected control (col. 5, ll. 20-25).

As per dependent claim 6, Robertson fails to specifically disclose masking the active value in the status indicator to deactivate the control. However it would have been obvious to one skilled in the art at the time to use Robertson's disclosure because he teaches using a flag data bit, which implies the use of bits to indicate activation/deactivation of controls with the active bit nulled to direct deactivation of a control.

As per dependent claim 7, the rejections as applied to dependent claims 5 and 6 are included herein.

As per dependent claim 8, Robertson discloses a control grouping identifier contained in memory (col. 5, ll. 8-50), the identifier has an active state and an inactive state and the identifier

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represents the controls of the control grouping (col. 5, ll. 20-25). It would have been obvious to one of ordinary skill in the art to use the disclosure of Robertson because he discloses the use of a flag data bit to identify a default control selection, which implies the use of data bits that correspond to controls and represents activation or deactivation of a selected control.

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***Response to Arguments***

1. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

***Citation of Pertinent Prior Art***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Isensee et al., U.S. Patent 5,815,153, 9/1998, 345/354

Solimene et al., U.S. Patent 5,828,376, 10/1998, 345/354

Johnston et al., U.S. Patent 5,880,729, 3/1999, 345/354

Chew et al., U.S. Patent 5,889,522, 3/1999, 345/354



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***Conclusion***

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-9051, (for formal communications intended for entry)

**OR:**

(703) 308-6606 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal  
Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner  
should be directed to Chante' Harrison whose telephone number is (703) 305-3937. She can  
normally be reached on Monday-Friday from 8:00am - 5:00pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor Michael  
Razavi, can be reached on (703) 305-4713.

Any inquiry of a general nature or relating to the status of this application should be  
directed to the Group receptionist whose telephone number is (703) 305-3900.

Chante' Harrison

January 31, 2001

  
JEFFERY BRIER  
PRIMARY EXAMINER